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QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD

Written statement*/ submitted by International Educational Development, Inc.,
a non-governmental organization on the Roster

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[19 January 2001]

*/ This written statement is issued, unedited, as received from the submitting non-governmental organization(s).

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HUMAN RIGHTS IN IRAN

1. In 1995 International Educational Development submitted a written statement (United Nations Document E/CN.4/Sub.2/1995/55) to the Sub-Commission on Prevention of Discrimination and Protection of Minorities (now the Sub-Commission on Promotion and Protection of Human Rights) in which we provided information about a person named Jamshid Tafrishi-Enginee. In our statement we pointed out that while Mr. Tafrishi-Enginee had spent about 18 months with the National Liberation Army (NLA) of the National Council of Resistance of Iran, we believed that he was in fact an agent of the regime in Iran with an assignment to gather intelligence on Iranian exiles, to seek ways and means for discrediting them and all opponents of the regime, and to carry out misinformation campaigns against them. Mr. Tafrishi now freely admits that we were correct.

2. Mr. Tafrishi has recently written letters in which he reveals that the Intelligence Ministry of the Iranian regime hired him (apparently paying him $72,000 in addition to travel and other expenses) especially to carry out a misinformation campaign about the NLA, with false accusations that the NLA had itself engaged in violations of human rights or intimidation or extortion of the Iranian exile community. A number of human rights organizations were treated to false testimony and government-orchestrated letter writing campaigns. Unfortunately, some of these organizations may have believed this misinformation. Sadly, this campaign appears to have succeeded in shifting attention away from the serious violations of humanitarian law being committed by the Irani military forces as well as the continuing gross pattern of human rights violations taking place throughout the country. Perhaps if the international community has responded to Mr. Tafrishi as we did – we thought Mr. Tafrishi was so clearly inept for his job anyone could see him for what he was – there would still be strong international action regarding Iran.

3. In other work on the situation in Iran, we have expressed outrage over the staggering number of political prisoners executed in the regime's jails. Now it appears we were conservative in our tally of these executions: Mr. Hossein Ali Montazeri, former designated successor to Khomeini, Iran's Supreme Leader at the time, recently made public shocking documents indicating that as many as 30,000 political prisoners were killed in 1988 alone. Iran's current leaders, including Mr. Khamenei, Mr. Khatami and Mr. Rafsanjani, as well as the officials still in charge of the Judiciary, played the primary role in this massacre.[1]

4. The documents made public by Mr. Montazeri include the text of Khomeini's fatwa in Summer 1988, which read in part:

> "Those who are in prisons throughout the country and remain steadfast in their support for the Monafeqin [Mojahedin], are waging war on God and are condemned to execution.... Annihilate the enemies of Islam immediately. As regards the cases, use whichever criterion that speeds up the implementation of the [execution] verdict."

Other documents made public by Mr. Montazeri show that on July 31, 1988 alone, about 3,800 persons were killed, only three days after the beginning of this bloody massacre. On the same day, in a letter to Khomeini, Mr. Montazeri wrote:

> "At least order to spare women who have children and finally, the execution of several thousand prisoners in a few days will not have positive repercussions and will not be mistake-free. . . . A large number of prisoners have been killed under torture by their interrogators. . . . In some prisons of the Islamic Republic young girds are being raped by force. . . . As a result of unruly torture, many prisoners have become deaf or paralyzed or afflicted with chronic diseases."

5. Gross human rights violations in Iran did not end in 1988. In his latest report to the General Assembly, Maurice Copithorne, the Commission's Special Representative on Iran attests to high rates executions and of particularly gruesome torture, continued discrimination of women and religious minorities, and curtailment of freedom of the press under conditions that he calls "truly draconian."[i]

6. The continuing flagrant violations of human rights in Iran and the shocking massacres of 1988 are irrefutable cases of crimes against humanity. These violations took place and continue in the course of an on-going civil war and are related to that war. Accordingly, the international community is, under the provisions of the Geneva Conventions of 1949 and other instruments of humanitarian law, under an obligation to seek out and try those responsible. Such a trial is not limited to a special international tribunal, but may take place in the courts of any party to the Geneva Conventions.[iii]

7. International Educational Development/Humanitarian Law Project urges the Commission as a whole as well as its individual members to undertake appropriate action in light of grave breaches of humanitarian law committed by the Irani regime. We also urge the Commission to continue the mandate of its Special Representative.

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[i] The state-run daily Iran News, made a reference to this massacre on April 9, 2000: "The decree was issued at a time when President Khatami, was the deputy to the Commander of the Armed Forces Staff in ideological and cultural affairs. He implemented the Imam (Khomeini)'s decree most decisively."

[ii] United Nations Document A/55/363 at para. 13.

[iii] See, for example, Geneva Convention IV of 1949, United Nations Treaty Series Vol. 75, p. 267: "Each High Contracting Party shall be under an obligation to search for persons alleged to have committed , or to have ordered to have committed, . . .grave breaches, and shall bring such persons, regardless of their nationality, before its own courts.